

O I P E
SJC A2
MAR 30 2004
PATENT & TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

Attorney Docket No.: 37,459-01

I, the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SECONDARY CARPET BACKING AND CARPETS

the specification of which is attached hereto unless the following box is checked:

was filed on November 6, 2003 as United States Application Number 10/701,519
or PCT International Application Number _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed

(Number) (Country) (Day/Month/Year Filed)

(Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

60/425,993 November 13, 2002
(Application Number) (Filing Date)

(Application Number) (Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112,

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Number) _____ (Filing Date) _____ (Status -- patented, pending, abandoned)

(Application Number) _____ (Filing Date) _____ (Status -- patented, pending, abandoned)

I hereby appoint Frank J. Sroka Registration No. 27,597, Stephen L. Hensley Registration No. 28,426, and Scott P. McDonald, Registration No. 34,871, and

Stephen L. Hensley _____ Registration No. 28,426

as my attorneys/agents; the correspondence address of each is:

BP America Inc.
Attn: Docket Clerk
BP Legal
Mail Code 5 East
4101 Winfield Road
Warrenville, Illinois 60555

each of these attorneys/agents has full power to prosecute this application, to receive any Letters Patent, and to transact all business in the Patent and Trademark Office connected therewith; and each of Frank J. Sroka, Stephen L. Hensley, and Scott P. McDonald has full power of substitution, association and revocation,

including the power to revoke the power of attorney of Stephen L. Hensley _____

Please direct all correspondence to the above address

and all telephone calls to Stephen L. Hensley _____ at (630) 821-2462.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of sole or first inventor Hugh C. Gardner

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Residence (city+state or country) 2754 Long Lake Drive, Roswell, Georgia 30075

Citizenship U. S. Citizen

Inventor's signature Hugh C. Gardner

Date 19 March 2004

Additional inventors are named on separately numbered sheets attached hereto.

Name of second inventor	Thomas L. Baker
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Date	18 MAR 04
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Date	23 MARCH 04
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Citizenship	U. S. Citizen
Inventor's signature	<i>Carroll M. Yawn</i>
Date	19 MAR 04